

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, *et al.*, on behalf
of themselves and others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the
United States, *et al.*,

Defendants.

No. 2:17-cv-00094-RAJ

**PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO REDACT
PORTIONS OF THE MAY 28, 2020
HEARING TRANSCRIPT**

NOTE ON MOTION CALENDAR:
July 24, 2020

The Court should deny Defendants' motion to redact portions of the May 28, 2020 hearing transcript. The Court's statement that Defendants seek to redact (pg. 14, lines 23-24) was simply introductory of the topic to be discussed, and the balance are statements that counsel for Defendants themselves made. The substance of each of Defendants' statements (pg. 16, lines 12-16, and pg. 17, lines 6-9) had already been publicly made by Defendants in prior court submissions. *See, e.g.*, Dkt. 226-01 at 9. There is no basis for now redacting these statements from the public record.

A party seeking to seal a judicial record, such as a hearing transcript, must "articulate compelling reasons supported by specific factual findings...that outweigh the general history of access and the public policies favoring disclosure such as the public interest in understanding the judicial process." *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006);

1 *see also Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1138 (9th Cir. 2003) (“In this
2 circuit, we start with a strong presumption in favor of access to court records.”); *TriQuint*
3 *Semiconductor Inc. v. Avago Techs. Ltd.*, No. CV-09-1531-PHX-JAT, 2012 WL 1432519, at *2
4 (D. Ariz. Apr. 25, 2012) (denying parties’ “ex-post facto” request to redact hearing transcript);
5 *Vesta Corp. v. Amdocs Mgmt Ltd.*, 312 F. Supp. 3d 966, 971 (D. Or. 2018) (same).
6

7 Defendants fail to demonstrate a compelling reason, supported by specific factual
8 findings, that would justify redacting portions of the judicial record. The Court should deny the
9 Defendants’ motion to redact the May 28, 2020 hearing transcript.
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Respectfully submitted,

s/ Jennifer Pasquarella

Jennifer Pasquarella (admitted pro hac vice)
ACLU Foundation of Southern California
 1313 W. 8th Street
 Los Angeles, CA 90017
 Telephone: (213) 977-5236
 jpasquarella@aclusocal.org

s/ Matt Adams

Matt Adams #28287
Northwest Immigrant Rights Project
 615 Second Ave., Ste. 400
 Seattle, WA 98122
 Telephone: (206) 957-8611
 matt@nwirp.org

s/ Stacy Tolchin

Stacy Tolchin (admitted pro hac vice)
Law Offices of Stacy Tolchin
 634 S. Spring St. Suite 500A
 Los Angeles, CA 90014
 Telephone: (213) 622-7450
 Stacy@tolchinimmigration.com

s/ Hugh Handeyside

s/ Lee Gelernt

s/ Hina Shamsi

Hugh Handeyside #39792
 Lee Gelernt (admitted pro hac vice)
 Hina Shamsi (admitted pro hac vice)
American Civil Liberties Union Foundation
 125 Broad Street
 New York, NY 10004
 Telephone: (212) 549-2616
 lgelernt@aclu.org
 hhandeyside@aclu.org
 hshamsi@aclu.org

s/ Sameer Ahmed

Sameer Ahmed (admitted pro hac vice)
**Harvard Immigration and Refugee
 Clinical Program**
 Harvard Law School
 6 Everett Street; Suite 3105
 Cambridge, MA 02138
 Telephone: (617) 495-0638
 sahmed@law.harvard.edu

DATED: July 20, 2020

s/ Harry H. Schneider, Jr.

s/ Nicholas P. Gellert

s/ David A. Perez

s/ Heath L. Hyatt

s/ Paige L. Whidbee

Harry H. Schneider, Jr. #9404

Nicholas P. Gellert #18041

David A. Perez #43959

Heath L. Hyatt #54141

Paige L. Whidbee #55072

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

HSchneider@perkinscoie.com

NGellert@perkinscoie.com

DPerez@perkinscoie.com

HHyatt@perkinscoie.com

PWhidbee@perkinscoie.com

s/ Kristin Macleod-Ball

Kristin Macleod-Ball (admitted pro hac vice)

American Immigration Council

1318 Beacon Street, Suite 18

Brookline, MA 02446

Telephone: (857) 305-3600

kmacleod-ball@immcouncil.org

s/ John Midgley

s/ Molly Tack-Hooper

John Midgley #6511

Molly Tack-Hooper #56356

ACLU of Washington

P.O. Box 2728

Seattle, WA 98111

Telephone: (206) 624-2184

jmidgley@aclu-wa.org

Counsel for Plaintiffs